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8 Brian Holohan (009124)
9 Attorneys for Defendants

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF ARIZONA

12 Renee Cecala,)

13 Plaintiff,)

14 vs.)

15 David B. Newman; et al.,)

16 Defendants.)

No. CV 04 2612 PHX NVW

**AFFIDAVIT OF
ASHER H. MILLER**

17 STATE OF NEW YORK)
18) ss.
19 County of Nassau)

20 Asher H. Miller declares under oath:

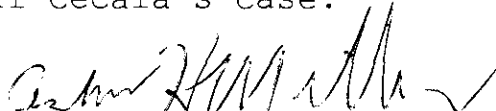
21 1. I am over 18 years of age. I make this affidavit
22 based upon first-hand knowledge.

23 2. I am a named defendant in the above-captioned case.

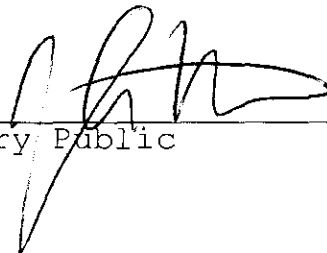
24 3. I was never aware of any of the wrongdoing alleged by
25 Plaintiff in her complaint involving Defendant David B.
26 Newman. Prior to February 15, 2000 I had no knowledge of any
alleged sexual relationship between David B. Newman and Renee
Cecala.

4. I never had any reason to suspect that Mr. Newman
engaged in any of the wrongdoing Plaintiff alleges occurred.

1 5. While at the Cooperman, Levitt law firm, my principal
2 activities did not involve litigation. I did not have any
3 involvement in and did not exercise, "supervisory authority"
4 as that term is used in Disciplinary Rule 1200.5(B) over Mr.
5 Newman's handling of Plaintiff Cecala's case.

6 
7 Asher H. Miller

8
9 SUBSCRIBED AND SWORN TO before me, the undersigned notary
10 public this 15th day of August, 2005, by Asher H. Miller.

11 
12 Notary Public

13
14 My Commission Expires:

15
16 YOSEF E. KRAUS
Notary Public, State of New York
No. 02KR6112881
17 Qualified in Nassau County
Commission Expires 07/19/2008